

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**DONEY PRESTON MATHIS,**

**Plaintiff,**

**v.**

**HILTON HALL, Warden, et al.,**

**Defendants.**

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**Case No.: 5:08-cv-332 (CAR)**

***ORDER ON THE UNITED STATES MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION***

Before the Court is the United States Magistrate Judge's Recommendation [Doc. 43] that Defendant's Motion for Summary Judgment [Doc. 32] be granted. Plaintiff, proceeding *pro se*, filed an Objection to the Recommendation [Doc. 46] contending that there are genuine issues of material fact regarding his Eighth Amendment claims. In his Objection, Plaintiff re-alleges the same arguments raised in his previous pleadings. Viewing the facts in the light most favorable to Plaintiff and after review of the record, the Court agrees with the Magistrate Judge's conclusion that no genuine issues of material fact exist regarding Plaintiff's Eighth Amendment claims. Therefore, the Recommendation is **HEREBY ADOPTED AND MADE THE ORDER OF THE COURT**, and Defendant's Motion for Summary Judgment is **GRANTED**.

**SO ORDERED.** This 26<sup>th</sup> day of March, 2010.

S/ C. Ashley Royal  
C. ASHLEY ROYAL  
UNITED STATES DISTRICT JUDGE

APG/chw/thc